

§ 157. Inspection

Any officer, agent, or employee of the Department of Agriculture duly authorized by the Secretary of Agriculture for the purpose may, at any hour during the daytime or nighttime, enter and inspect any establishment where any virus, serum, toxin, or analogous product for use in the treatment of domestic animals is prepared for sale, barter, exchange, or shipment as aforesaid.

(Mar. 4, 1913, ch. 145, §1 [part], 37 Stat. 833; Pub. L. 99-198, title XVII, §1768(d), Dec. 23, 1985, 99 Stat. 1655.)

CODIFICATION

See note set out under section 151 of this title.

Another section 1768 of Pub. L. 99-198, cited as a credit to this section, amended section 136y of Title 7, Agriculture.

AMENDMENTS

1985—Pub. L. 99-198 struck out “licensed under this chapter” after “enter and inspect any establishment”.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-198 effective Dec. 23, 1985, except as otherwise provided, see section 1768(f) of Pub. L. 99-198, set out as a note under section 151 of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of the Secretary of Agriculture relating to agricultural import and entry inspection activities under this chapter to the Secretary of Homeland Security, and for treatment of related references, see sections 231, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 158. Offenses; punishment

Any person, firm, or corporation who shall violate any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and shall, upon conviction, be punished by a fine of not exceeding \$1,000 or by imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

(Mar. 4, 1913, ch. 145, §1 [part], 37 Stat. 833.)

REFERENCES IN TEXT

For explanation of “this chapter”, referred to in text, see References in Text note set out under section 156 of this title.

CODIFICATION

See note set out under section 151 of this title.

§ 159. Enforcement; penalties applicable; Congressional findings

The procedures of sections 672, 673, and 674 of this title (relating to detentions, seizures and condemnations, and injunctions, respectively) shall apply to the enforcement of this chapter with respect to any product prepared, sold, bartered, exchanged, or shipped in violation of this chapter or a regulation promulgated under this chapter. The provisions (including penalties) of section 675 of this title shall apply to the performance of official duties under this chapter. Congress finds that (i) the products and activities that are regulated under this chapter are ei-

ther in interstate or foreign commerce or substantially affect such commerce or the free flow thereof, and (ii) regulation of the products and activities as provided in this chapter is necessary to prevent and eliminate burdens on such commerce and to effectively regulate such commerce.

(Mar. 4, 1913, ch. 145, §1 [part], as added Pub. L. 99-198, title XVII, §1768(e), Dec. 23, 1985, 99 Stat. 1655.)

CODIFICATION

See note set out under section 151 of this title.

Another section 1768 of Pub. L. 99-198, cited as a credit to this section, amended section 136y of Title 7, Agriculture.

EFFECTIVE DATE

Section effective Dec. 23, 1985, except as otherwise provided, see section 1768(f) of Pub. L. 99-198, set out as an Effective Date of 1985 Amendment note under section 151 of this title.

CHAPTER 5A—BUREAU OF NARCOTICS**§§ 161 to 165. Omitted**

CODIFICATION

Section 161, acts June 14, 1930, ch. 488, §1, 46 Stat. 585; Oct. 15, 1949, ch. 695, §6(a), 63 Stat. 881, established a Bureau of Narcotics in the Department of the Treasury and provided for appointment of a Commissioner of Narcotics for the Bureau with duty of making an annual report to Congress.

Section 162, acts June 14, 1930, ch. 488, §2, 46 Stat. 585; June 26, 1930, ch. 623, §1, 46 Stat. 819; Oct. 27, 1970, Pub. L. 91-513, title III, §1101(a)(4), 84 Stat. 1291, provided for appointment and compensation of a deputy commissioner and other personnel for the Bureau of Narcotics, required the deputy to be an acting Commissioner during absence or disability of the Commissioner or a vacancy in the office, and authorized designation of a member of the Treasury Department as an acting Commissioner in event there is no Commissioner or deputy commissioner.

Section 163, act Mar. 3, 1927, ch. 348, §4(a), 44 Stat. 1382, provided for transfer of control of narcotic drugs to the Secretary of the Treasury from the Commissioner of Internal Revenue and his assistants, agents, and inspectors.

Section 164, acts June 14, 1930, ch. 488, §3, 46 Stat. 586; June 26, 1930, ch. 623, §2, 46 Stat. 819; Ex. Ord. No. 6639, Mar. 10, 1934, abolished the Federal Narcotics Control Board and transferred powers of such Board to the Commissioner of Narcotics, authorized the Secretary of the Treasury to confer or impose his duties under section 163 of this title upon the Commissioner or other personnel of the Bureau of Narcotics, continued in effect orders, rules, and regulations in existence on July 1, 1930, until modified, superseded, or repealed by the Commissioner, with approval of the Secretary of the Treasury, and provided for determination before such Bureau of Narcotics of proceedings, investigations, and other matters pending on July 1, 1930 before Bureau of Prohibition or Federal Narcotics Control Board respecting narcotic drug law administration or enforcement. Bureau of Prohibition personnel, records, property, and unexpended balances of appropriations were previously transferred to Bureau of Narcotics as were powers of the Attorney General respecting the Bureau of Prohibition to the Commissioner of Internal Revenue.

Section 165, act June 14, 1930, ch. 488, §5, 46 Stat. 587, provided for review of decisions of Commissioner of Narcotics by the Secretary of the Treasury.

TRANSFER OF FUNCTIONS

Functions of the Secretary of the Treasury administered through or respecting the Bureau of Narcotics